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REMARKS

Claims 1-26 are currently pending. Claims 1 and 11-22 have been amended. Claims 23-26 have been added to enhance the scope of patent claim coverage. The support for the amendment to claim 1 is found on page 8, lines 20-23. The support for the amendment to claim 11 is found on page 6, lines 2-6. The support for the amendment to claim 17 is found on page 6, line 18. New claims 23-26 have been added. The support for new claim 23 is found on page 8, lines 20-23. The support for new claims 24 and 26 is found on page 3, line 16. The support for new claim 25 is found on page 6, lines 20-23. Claims 7, 12-16 and 18-22 have been amended for clarification purposes only and follow the suggestions of the Patent Office in the Office Action mailed March 24, 2006. It is respectfully submitted that no new matter has been added.

The Patent Office rejected claims 8, 12-16, and 18-22 under 35 U.S.C. 112, second paragraph. Claims 12-16 and 18-22 and claim 7 (for claim 8) have been amended in accordance with the Patent Office's suggestions. Applicant believes that the claims are in compliance with 35 U.S.C. 112, second paragraph, and requests withdrawal of the rejection under this section by the Patent Office.

The PTO form 892 lists U.S. Patent No. 5,915,675, to Chen, instead of U.S. Patent No. 5,914,675, to Tognazzini, which was cited in rejecting certain claims. Applicant requests an accurate listing of the prior art references cited by the Patent Office.

The Patent Office rejected claims 1, 11, and 17 under 35 U.S.C. 102(e) as being anticipated by Menard, U.S. Published Patent Application No. 2003/0001743.

Claim 1 recites "A system for contacting help comprising: an emergency device carried on the person of a user, said emergency device having a wireless sending unit activated by an activation unit, **wherein the emergency device is formed so as to prevent accidental activation**; a mobile telephone having a wireless receiving unit adapted to receive signals from said wireless sending unit, said mobile telephone being adapted for communicating with a telephone network to call an emergency number; in which said emergency device sends a signal to said mobile telephone in response to the activation of said wireless sending unit; and said mobile telephone calls said emergency number in response to said signal."

Claim 11 recites "An apparatus for contacting help comprising: an emergency device

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carried on the person of a user, said emergency device having a wireless sending unit activated by an activation unit; and a mobile telephone having a wireless receiving unit adapted to receive signals from said wireless sending unit, said mobile telephone being adapted for communicating with a telephone network to call an emergency number; in which said emergency device sends a signal to said mobile telephone in response to the activation of said wireless sending unit; and said mobile telephone calls said emergency number in response to said signal, **if an operator at the emergency number answers by voice and then does not receive a voice response in reply, the signal from the medical devices is interpreted as a medical emergency.**”

Claim 17 recites “An article of manufacture comprising a program storage medium readable by a computing device in a mobile telephone handset, the medium embodying instructions executable by the computing device for performing method steps comprising: receiving signals from a wireless sending unit carried on the person of a user, said mobile telephone being adapted for communicating with a telephone network to call an emergency number; in which said emergency device sends a signal to said mobile telephone in response to the activation of said wireless sending unit; and said mobile telephone calls said emergency number in response to said signal, **wherein the wireless sending unit is capable of turning on the mobile telephone.**”

It is believed that claims 1, 11, and 17 are not anticipated by Menard.

The Patent Office rejected claims 2, 5, 6, 12, 15, 16, 18, 21, and 22 under 35 U.S.C. 103(a) as being unpatentable over Menard in view of Tognazzini.

Menard does not appear modifiable modifiable such that the emergency device may provide medical related information since Menard appears to use the personal medical device 100 to have connections to sensors 140 (paragraph 0023) or to use an external database to retrieve medical records of the person (paragraph 0101). It appears that Menard’s intended use is in a care providing facility thus Menard would not need to have the personal medical device have its own store of medical information.

Thus, claims 2, 12, and 18 are allowable over the prior art of record for this additional reason.

Claims 5, 6, 15, 16, 21, and 22 are allowable because they depend from allowable base claims 1, 11, and 17.

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The Patent Office rejected claims 3, 13, and 19 under 35 U.S.C. 103(a) as being unpatentable over Menard in view of Luman.

Menard does not appear modifiable such that the emergency device may provide medical related information since Menard appears to use the personal medical device 100 to have connections to sensors 140 (paragraph 0023) or to use an external database to retrieve medical records of the person (paragraph 0101). It appears that Menard's intended use is in a care providing facility thus Menard would not need to have the personal medical device have its own store of medical information.

Thus, claims 3, 13, and 19 are allowable over the prior art of record for this additional reason.

The Patent Office rejected claims 4, 14, and 20 under 35 U.S.C. 103(a) as being unpatentable over Menard, in view of Tognazzini and Luman.

Menard does not appear modifiable such that the emergency device may provide medical related information since Menard appears to use the personal medical device 100 to have connections to sensors 140 (paragraph 0023) or to use an external database to retrieve medical records of the person (paragraph 0101). It appears that Menard's intended use is in a care providing facility thus Menard would not need to have the personal medical device have its own store of medical information.

Thus, claims 4, 14, and 20 are allowable over the prior art of record for this additional reason.

The Patent Office rejected claims 7-10 under 35 U.S.C. 103(a) as being unpatentable over Menard in view of Balachandran.

Claim 7 recites "A system according to claim 3, in which: the mobile telephone sends a signal to a telephone network activating a response from the telephone network."

Claim 7 is allowable because base claim 1 and intervening claim 3 are allowable.

Claim 8 recites "A system according to claim 7, in which: the response from the telephone network comprises at least receiving said stored data and transmitting the stored data to the emergency number."

Balachandran does not appear to disclose that the stored data is from the emergency device, but rather is coupled to the mobile switching center 65 (see Figure 1). Menard does not

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remedy this deficiency. Thus, claim 8 is allowable over the prior art of record for this additional reason.

Claim 9 recites "A system according to claim 7, in which: the response from the telephone network includes estimating the location of the user by analyzing signals from the mobile telephone." Claim 10 recites "A system according to claim 8, in which: the response from the telephone network includes estimating the location of the user by analyzing signals from the mobile telephone." Balachandran (col. 3, lines 42-43) does not disclose "estimating the location of the user by analyzing signals from the mobile telephone." Menard does not remedy this deficiency.

Thus, claims 9 and 10 are allowable over the prior art of record for this additional reason.

The Patent Office is respectfully requested to reconsider and remove the rejections of the claims under 35 U.S.C. 102(e) based on Menard or under 103(a) based on Menard in combination with Tognazzini, Luman, and/or Balachandran, and to allow all of the pending claims 1-26 as now presented for examination. An early notification of the allowability of claims 1-26 is earnestly solicited.

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Respectfully submitted:

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5-11-06 Ann Okrentowich
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